

FROM : ROYALE COMTRONICS

RM 222
STOP 1170
JUL. 27. 1994 10:55AM P 1
PHONE NO. : 218 346 8294

FCC MAIL SECTION

JUL 28 8 03 AM '94

FAX Transmission

From: Rich Richter

To: ~~William F. Caton~~

Company: FCC

Date: 7-27-94

of pgs 3

FAX #:

Message:

PLEASE DISTRIBUTE A COPY TO:

WILLIAM F. CATON

JAMES QUELLO

RACHELLE B. CHONG

ANDREW C. BARRETT

SUSAN NESS

VOICE: 346-1300 FAX: 346-8294

ROYALE COMTRONICS, Inc. Eden Prairie, MN 55573



DIRECTV™ is an official trademark of
DIRECTV, Inc., a unit of GTE Hughes Electronics.

MIDWEST MINNESOTA DBS

127 1st Avenue South • Perham, Minnesota 56573 • Phone (218) 346-1300

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW, Rm. 814
Washington, DC 20554

RE: Cable Competition Report
CS Docket No. 94-48

RECEIVED

JUL 27 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

This letter is in support of the Comments of the National Rural Telecommunications Cooperative (NRTC) in the matter of Implementation of Section 19 of the Cable Television Consumer Protection and Competition Act of 1992, Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming, CS Docket No. 94-48.

My company, Midwest Minnesota DBS, is owned by three rural telephone companies that are members of the NRTC along with Midwest Minnesota DBS. Midwest Minnesota DBS is a distributor of DIRECTV™ in Otter Tail, Todd, Becker, and Grant Counties in Minnesota. The sole objective of Midwest Minnesota DBS is to bring affordable satellite television to the rural customers in central Minnesota.

This objective is being hampered, despite passage of 1992 Cable Act, by the lack of access to programming owned by Time Warner and Viacom. Midwest Minnesota DBS is unable to compete on a level playing surface with other television services due to the lack of access to popular cable networks such as HBO, Showtime, Cinemax, The Movie Channel, MTV, Nickelodeon, and others available only to my key competitor, the United States Satellite Broadcasting Co. (USSB), as a result of an "exclusive" contract signed between USSB and Time Warner/Viacom.

DIRECTV on the otherhand has not signed any exclusive programming distribution contracts and has left USSB at liberty to obtain distribution rights for any of the channels available on DIRECTV.

Mr. Hundt, Midwest Minnesota DBS agrees whole heartedly with the NRTC that these exclusive programming contracts do not follow the intent of the 1992 Cable Act. My belief is that the Act prohibits any arrangement that prevents any distributor from gaining

No. of Copies rec'd 1
List ABCDE



DIRECTV™ is an official trademark of
DIRECTV, Inc., a unit of CBS Hughes Electronics.

MIDWEST MINNESOTA DBS

127 1st Avenue South • Perham, Minnesota 56573 • Phone (218) 346-1300

access to programming to serve non-cabled rural areas under this situation. Under the present circumstances, if one of my DIRECTV subscribers also wishes to receive Time Warner/Viacom product, that subscriber must purchase a second subscription to the USSB service. This hinders effective competition, and as a consequence keeps the price of the Time Warner/Viacom channels unnecessarily high. It also increases consumer confusion at the retail level by making it necessary for the customer to receive two monthly bills to receive both DIRECTV and USSB products.

We believe very strongly that the 1992 Cable Act flatly prohibits any exclusive arrangements that prevent any distributor from gaining access to cable programming to serve rural non-cabled areas. That is why we supported the Tauzin Amendment, embodied in Section 19 of the Act.

We ask the FCC to remedy these problems so that the effective competition requirements of Section 19 become a reality in rural America. I strongly urge you to banish the type of exclusionary arrangements represented by the USSB/Time Warner/Viacom deal.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Richter".

Rich Richter

cc:

The Hon. Collin Peterson
The Hon. Paul Wellstone
The Hon. David Durenberger
William F. Caton, Secretary
The Hon. James H. Quello
The Hon. Andrew C. Barrett
The Hon. Susan Ness
The Hon. Rachelle B. Chong

Concert **Announcement**

Rolling Stones Live at RFK Stadium, Monday, Aug. 1st

Ticket Window, Inc., the nation's #1 ticket service specializing in hard-to-get seats for premium events has a SPECIAL OFFER. In order to increase our mailing list contacts, a limited supply of great seats are now available for the Rolling Stones at FACE VALUE.



**Rolling
Stones**
Tickets

**Available at
Face Value**

Call 1-800-765-3688
1-800-SOLD-OUT

**OVERNIGHT DELIVERY
GUARANTEED SEATING
MAJOR CREDIT CARDS ACCEPTED**